

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : Consolidated Under  
LIABILITY LITIGATION (No. VI) : MDL DOCKET NO. 875

VARIOUS PLAINTIFFS

v.

VARIOUS DEFENDANTS

FILED

OCT -1 2014

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

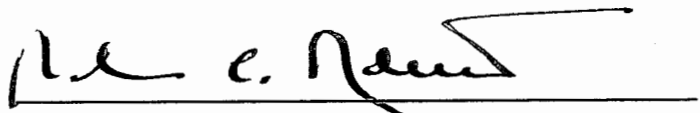
Cases Identified In  
EXHIBIT A  
(attached)

**RENEWED SCHEDULING ORDER**

AND NOW, this 30th day of September, 2014, Plaintiffs are hereby **ORDERED** to respond to the Court-ordered discovery requests (attached as Exhibit B) by **October 14, 2014**. No extensions of time will be granted for any reason. No supplements or amendments to the responses will be permitted for any reason. Responses are to be filed electronically on the docket of the case by the date set forth above. Plaintiffs may only identify witnesses (both fact and expert witnesses) - or other evidence - identified in opposition to the motions for summary judgment previously filed by Defendants in the action. With respect to expert reports, Plaintiffs are to re-submit to Defendants the report (as originally produced), and may provide an addendum to a report, **by November 21, 2014**, only if there is a new opinion based upon facts newly discovered after the September 4, 2013 hearing. In the event of a discovery dispute, the parties are to attempt first to resolve the dispute between themselves, and then, if

unsuccessful, are to contact Magistrate Judge Strawbridge, who will attempt to resolve the dispute informally. No discovery-related motions may be filed without prior approval of Magistrate Judge Strawbridge.

Depositions of fact witnesses are to be completed by **November 14, 2014**. Depositions of expert witnesses are to be completed by **November 28, 2014**. Motions for summary judgment are to be filed by **December 15, 2014**. Responses to those motions are to be filed by **January 15, 2015**. Replies (if any) are to be filed by **January 22, 2015**. Leave to file a surreply must be sought no later than three (3) days after the filing of a reply - and will only be granted in extraordinary cases. The parties are to include all arguments and appropriate evidence with their filing, without reference to (or incorporation of) the arguments or evidence set forth in previous summary judgment briefing in this case (or any other case). The parties are directed to include any request to have witness testimony (or other evidence) stricken in a response or reply brief - and are not permitted to file a separate motion for this purpose. The parties are hereby advised that counsel will be sanctioned for frivolous motions as appropriate, pursuant to Rule 11 of the Federal Rules of Civil Procedure. Absent extraordinary circumstances, no extensions of time will be granted.

A handwritten signature in black ink, appearing to read 'Eduardo C. Robreno', is written over a horizontal line.

EDUARDO C. ROBRENO, J.

**Exhibit A**

Reno	09-CV-60293
Miller	09-CV-60520
Reich	09-CV-60523
Jeske	09-CV-60547
Junk	09-CV-60550
Engelman	09-CV-60939
Enerson	09-CV-61004
Holcomb	09-CV-61314
Metzger	09-CV-61322
Massey	09-CV-61356
Horton	09-CV-61469
Reichert	09-CV-61487
Suhaysik	10-CV-61865
Gottsacker	10-CV-61885
Zimmer	10-CV-61896
Embly	10-CV-64584
Carlson	10-CV-67533
Carmichael	10-CV-67545
Richardson	10-CV-67553
Arseneault	10-CV-67621
Malone	10-CV-68124
Irons	10-CV-68130
Muehlberger	11-CV-63518
Unzicker	11-CV-66288
Krueger	12-CV-60020

## EXHIBIT B

**Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery  
(To Be Answered By Plaintiffs in CVLO Actions)**

1. Identify (a) each product that you contend caused or contributed to Plaintiff's asbestos-related illness, (b) which Defendant(s) you contend is liable for injury arising from this product, (c) the location(s) of exposure (e.g., state, city, worksite, and, if appropriate, location within the worksite), (d) the date(s) of exposure, (e) all witnesses\* who will provide (or have provided) testimony regarding Defendant's liability to Plaintiff regarding that product, and (f) all other sources of evidence\* on which you are relying to establish Defendant's liability to Plaintiff regarding that product. Please use the following format:

Product	Liable Defendant	Location of Exposure	Date(s) of Exposure	Factual Witnesses re: Defendant's Liability	Expert Witnesses re: Defendant's Liability	Other Evidence re: Defendant's Liability
Product A	Defendant A	Worksite A, City A, State A  Worksite B (Building X), City B, State B	Date A – Date B  Date C – Date D	Witness A Witness B Witness C	Expert Witness A Expert Witness B Expert Witness C	Document A Document B Document C
Product B	Defendant B	Worksite C, City C, State C  Worksite D, City D, State D	Date E – Date F  Date G – Date H	Witness D Witness E Witness F	Expert Witness D Expert Witness E Expert Witness F	None
Product C	Defendant C	Worksite X, City X, State X  Worksite Y, City Y, State Y	Date W – Date X  Date Y – Date Z	Witness X Witness Y Witness Z	None	Document X Document Y Document Z

\* Plaintiffs are limited to identifying only witnesses and other evidence relied upon in their oppositions to Defendants' summary judgment motions previously filed in this action. Therefore, any witness or piece of evidence not relied upon by Plaintiff in opposition to a given Defendant's previous motion for summary judgment (for example, Defendant A) may not now be identified as a witness with respect to that Defendant (i.e., Defendant A); and this is true even if that witness or piece of evidence was previously identified with respect to another Defendant (for example, Defendant B).

**Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery  
(To Be Answered By Plaintiffs In CVLO Actions)**

2. For each defense raised by a Defendant in any summary judgment motion previously filed in this action (including but not limited to a statute of limitations, a statute of repose, the government contractor defense, and the sophisticated user defense), identify (a) all witnesses\* who will provide (or have provided) testimony relevant to this defense and upon whose testimony you are relying to oppose the defense, and (b) all other sources of evidence\* on which you are relying to oppose the defense. Please use the following format:

Defense	Defendant(s) Raising/ Asserting Defense	Fact Witnesses re: Defense	Expert Witnesses re: Defense	Other Evidence re: Defense
Defense A	Defendant A	Witness A Witness B	Expert Witness A	Document A
Defense B	Defendants B & C	Witness C	Expert Witness B Expert Witness C	None
Defense C	Defendants X, Y, & Z	Witness X	None	Document X

3. Produce to Defendant(s) a copy of all evidence\* identified in the final column of each of the charts you have created in response to Requests Nos. 1 and 2 above (i.e., "Other Evidence re: Defendant's Liability" and "Other Evidence re: Defense").

4. For each expert\* upon whom Plaintiff intends to rely and who (a) has already been deposed in this action, or (b) is noticed for deposition by Defendant(s), produce to Defendant(s) a copy of the expert's report. Plaintiff is to provide (i) the report (as originally produced), along with (ii) any addendum containing opinions based on facts that are discovered from fact witnesses after the September 4, 2013 hearing held in this action. [Note: For experts not yet deposed, reports must be produced at least fourteen (14) days prior to the date of the scheduled deposition.]

**INSTRUCTIONS FOR SERVICE AND FILING:** Upon completion of these discovery requests, Plaintiffs are to serve the written responses upon Defendants by filing them on the docket of the action to which it pertains. (Plaintiffs are not to file on the docket the evidence produced.)

**NO EXTENSIONS TO DEADLINE:** No extensions to the deadline for these responses (as set forth by the Court) will be granted for any reason.

**NO SUPPLEMENTS OR AMENDMENTS:** No supplements or amendments to these responses (or the accompanying production of evidence) will be permitted for any reason.



## Certificate of Service

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